

# **WISCONSIN LEGISLATIVE COUNCIL STAFF**

## ***RULES CLEARINGHOUSE***

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## **CLEARINGHOUSE RULE 98-104**

### **Comments**

**[NOTE: All citations to “Manual” in the comments below are to the Administrative Rules Procedures Manual, prepared by the Revisor of Statutes Bureau and the Legislative Council Staff, dated October 1994.]**

### **2. Form, Style and Placement in Administrative Code**

- a. In SECTIONS where a title is being created, only the title should be shown, not the text of the rule. For example, see SECTIONS 1 and 2.
- b. In several provisions, “of this subsection” should be deleted. See SECTIONS 4, 7 and 9.
- c. Several SECTIONS in which a title is created and the text is amended should be divided into two SECTIONS--one for the creation of the title and one for amendment of the text. See SECTIONS 4, 5, 7, 8, 11 and 14.
- d. In SECTIONS 4 and 13, reference is made to par. “(1)”; the proper reference is to par. “(L)” to avoid confusion with the numeral one.
- e. The material contained in s. TCS 7.03 (4) could be shown in a note rather than a rule section.

### **4. Adequacy of References to Related Statutes, Rules and Forms**

In the listing of statutes that authorize promulgation of the rule, the reference to s. 38.04 (11), Stats., should be deleted since a more specific reference to s. 38.04 (11) (a) 2., Stats., is included.

**5. Clarity, Grammar, Punctuation and Use of Plain Language**

a. In s. TCS 6.05 (2) (intro.), the first comma should be deleted. Also, “, do all of the following” should be inserted before the colon.

b. In s. TCS 6.05 (2) (i), should the state board be notified of emergency procurements under this provision?

c. It is not clear what is intended by the requirement in s. TCS 6.05 (2) (h) that the report be “reflected” in the district board’s proceedings.

d. Section TCS 9.03 (3) could be revised for clarity to read: “Personally identifiable information collected under sub. (2) shall be used . . . .”

e. The agency may wish to include an initial applicability date to specify which transactions will be subject to the new rules.